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Appendix I.

[*Vide* answer to Starred Question No. 81, asked by Dr. A. Chidambaranathan at the meeting of the Legislative Council held on 6th September 1960, page 3 *supra*.]

Principles adopted for Selection of High Schools for upgrading as Higher Secondary Schools.

1. Such physical facilities as accommodation, equipment and playground should be made available by the management to the satisfaction of the Director of Public Instruction.

2. Staff qualified to teach the Eleventh Standard should have already been employed by the management or the management concerned should undertake to depute, with the consent of the Director, the required number of teachers for the certificate and post-graduate courses conducted by the University of Madras in 1960–61 and 1961–62.

3. Region-wise needs for higher secondary education should be taken into consideration in the matter of selecting schools for the opening of Standard XI, taking into account the existing facilities for the Pre-University course in colleges in order to avoid duplication.

4. Facilities for Higher Secondary Education should be distributed fairly over the entire State, the rural areas receiving special attention. There are about 100 taluks in our State (excluding the City of Madras) and the programme to open Higher Secondary Schools by upgrading the existing High Schools in the course of the Third Plan Period should aim at providing each taluk with at least one higher Secondary School.

5. All types of managements should be represented, as far as possible, in the list of schools selected every year for being upgraded into Higher Secondary Schools.

6. If other things are equal, Model High Schools attached to the Training Colleges may be preferred for being upgraded.

Appendix II.

[*Vide* item IV (1) on page 47 *supra*.]

L.A .BILL No. 12 OF 1960.

(As passed by the Assembly.)

A Bill to regulate the publication of reports of judicial proceedings so as to prevent the publication of obscene or indecent matter and other matters the publication of which will not be in the public interest, in the State of Madras.

Whereas it is expedient to regulate in the State of Madras the publication of reports of judicial proceedings so as to prevent the publication of obscene or indecent matter and other matters, the publication of which will not be in the public interest,

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BE it enacted in the Eleventh Year of the Republic of India as follows :—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Judicial Proceedings (Regulation of Reports) Act, 1960.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force on such date as the Government may, by notification, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(*a*) "book" includes every volume, part or division of a volume, pamphlet and leaflet, in any language and every sheet of music, map, chart or plan separately printed, cyclostyled or lithographed or otherwise mechanically produced;

(*b*) "document" includes any painting, drawing or photograph or other visible representation;

(*c*) "Government" means the State Government ;

(*d*) "Judicial proceeding" includes any proceedings in the course of which evidence is or may be legally taken on oath;

(*e*) "matrimonial matter" means any proceeding for dissolution or nullity of marriage, or for judicial separation, or for restitution of conjugal rights or any proceeding for—

(i) the maintenance of wife, husband or children; or

(ii) the alteration in the rate of such maintenance; or

(iii) the cancellation or modification of the order of, or decree for, such maintenance;

(*f*) "newspaper" means any periodical work containing public news or comments on public news.

3. *Restrictions on circulation, printing or publication of reports of judicial proceeding.*—(1) Notwithstanding anything contained in any law for the time being in force, no person shall print, publish or circulate or cause to be printed, published or circulated—

(*a*) in relation to any judicial proceeding, any indecent or obscene matter, or any indecent or obscene details, which would be calculated to injure public morals;

(*b*) in relation to any matrimonial matter or any judicial proceeding in connection with an offence under section 497 of the Indian Penal Code (Central Act XLV of 1860), any particulars except the following particulars, namely :—

(i) the names of the parties; and

(ii) the order of the court;

(*c*) in relation to any judicial proceeding in connection with an offence under sections 354, 366, 366-A, 366-B, 376, 377 or 498 of the Indian Penal Code (Central Act XLV of 1860), and the

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Suppression of Immoral Traffic in Women and Girls Act, 1956 (Act No. 104 of 1956), any particulars except the following particulars, namely :—

(i) the name, occupation and address of the accused; and

(ii) the order of the court without disclosing the identity, or giving any particulars calculated to lead to the identification, of any person who may have been a victim of the offence.

(2) Nothing in this section shall apply to the printing of any pleading, transcript of evidence or other document for use in connection with any judicial proceeding or the communication thereof to persons concerned in the proceeding or to the printing or publishing of any notice or report in pursuance of the directions of the court or to the printing or publishing of any matter in a separate volume or part of any *bona fide* series of law reports or in any publication of a technical character *bona fide* intended for circulation among members of the legal or the medical profession.

4. *Penalty.*—If any person contravenes sub-section (1) of section 3—

(*a*) he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both; and

(*b*) any newspaper, book or document (including all copies thereof) in respect of which that sub-section has been contravened, shall, by order of the court, be liable to be forfeited to the Government.

5. *Offences under the Act to be cognizable.*—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Central Act V of 1898) but subject to the provisions of sub-section (2), any offence under this Act shall be deemed to be a cognizable offence within the meaning of that Code.

(2) No Court shall take cognizance of any offence under this Act except with the previous sanction of the Government.

(3) No court below that of a Presidency Magistrate or of a Magistarate of the First Class shall try any offence under this Act.

6. *Forfeiture and seizure of newspaper, etc., under section 99-A of Central Act V of* 1898.—The provisions of sections 99-A, 99-B and 99-D of the Code of Criminal Procedure, 1898 (Central Act V of 1898), are hereby amended as specified in the Schedule to this Act and the provisions of sections 99-A to 99-G of the said Code as amended as aforesaid shall, notwithstanding anything contained in section 4, apply in respect of any newspaper, book or document, which appears to the Government to contain any matter in contravention of the provisions of sub-section (1) of section 3.

7. *Savings.*—Nothing in this Act shall exempt any person from any proceeding which might, apart from this Act, be brought against him.

8. *Power to make rules.*—(1) The Government may, by notification, make rules for carrying out the purposes of this Act.

(2) All rules made under this Act shall, as soon as possible after they are made, be placed on the table of both Houses of the Legislature and shall be subject to such modifications by way of amendment or repeal as the Legislature may make either in the same session or in the next session.

THE SCHEDULE.

[*See* section 6.]

In the Code of Criminal Procedure, 1898 (Central Act V of 1898),—

(1) in sub-section (1) of section 99-A after the words " appears to the State Government to contain ", the words " in relation to any judicial proceeding, any indecent or obscene matter, or any indecent or obscene details, which would be calculated to injure public morals, or " and after the words " that is to say ", the words, brackets, letter and figures " any matter referred to in clause (*a*) of sub-section (1) of section 3 of the Madras Judicial Proceedings (Regulation of Reports) Act, 1960, or " shall be inserted;

(2) in section 99-B and in sub-section (1) of section 99-D, for the words " seditious or other matter ", the word " matter " shall be substituted.

APPENDIX III.

[Vide item IV (2) on page 51 supra.]

L.A. BILL No. 7 OF 1960.

(As passed by the Assembly.)

A Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, *in their application to the State of Madras.*

WHEREAS it is expedient further to amend the Indian Penal Code (Central Act XLV of 1860), and the Code of Criminal Procedure, 1898 (Central Act V of 1898), in their application to the State of Madras, for the purposes hereinafter appearing;

BE it enacted in the Eleventh Year of the Republic of India as follows :—

1. *Short title and extent.*—(1) This Act may be called the Indian Penal Code and the Code of Criminal Procedure (Madras Amendment) Act, 1960.

(2) It extends to the whole of the State of Madras.

2 *Amendment of section* 292—*Central Act XLV of* 1860.—In section 292 of the Indian Penal Code (Central Act XLV of 1860) (hereinafter referred to as the said Code), for the words ' shall be